

REMARKS

Reconsideration of this application, as amended, is requested.

Claims 4, 5, and 9-11 remain in the application. Claims 1-3, 6-8 have been canceled. New independent claim 9 and new dependent claims 10 and 11 have been added.

The Examiner raised several formal objections to the original claims. In particular, the Examiner inquiry about the meaning of the phrase "in a caulked state" and the phrase in a "state of being fitted". The claims have been amended to address the Examiner inquiry. The Examiner is advised that the term "caulked" is commonly used in this art area to define deforming metal members to achieve mechanical engagement therebetween.

The claims were rejected under 35 USC 103(a) as being obvious Verdesca et al. considered in view of Poole. The Examiner compared the element 31 of Verdesca et al. to the thick tube body recited in original claim 1. The Examiner compared the element 33 of the Verdesca et al. to the securing flange recited in original claim 1. The elements 36 and 37 of Verdesca et al. were compared to the branch connectors of original claim 1 and the element 40 of Verdesca et al. was compared to the claimed top. The Examiner states that Verdesca et al. discloses using a gasket 41 instead of having the cap 40 caulked into connection with the tube 31. However, the Examiner attempted to address this admitted deficiency of Verdesca et al. by relaying upon Poole to show caulking 82 and gasket as being the equivalent of one other. Accordingly, the Examiner concluded that it would be obvious to combine the caulking 82 of Poole in place of the gasket 41 of Verdesca et al.

The Verdesca et al. reference relates to a plastic tubing assembly that can be used, for example in a system to remove salt from sea water. Plastic is considered necessary because sea water will cause corrosion of metallic components. The Verdesca et al. reference shows a thick-wall plastic pipe 31 having an end that is tapered to even thinner dimensions. The thin plastic pipe 31 is fit into a cylindrical collar 30. Holes are drilled through the plastic collar 30 and through the tapered end of the thin plastic pipe 31 and plastic side ports 36 are installed into the drill holes. A plastic plate then is fit into the end of the collar 33 opposite the plastic pipe 31 and is sealed with an O-ring 42. The outer surface of the plastic collar 33 has threads, and a cylindrical cap 43 is threaded onto the threads of the collar and holds the plastic plates 40 in position. Although the Verdesca et al. reference indicates that the fluid accommodated therein is under pressure, the Verdesca et al. reference clearly is directed to a low pressure system.

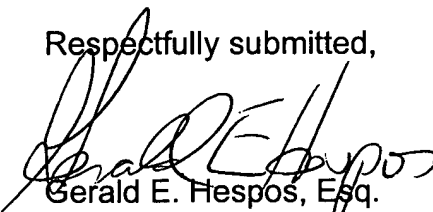
The Poole reference merely was cited for showing that a caulking material can be used in place of gasket for the connection between two ducts.

The applicant's invention is directed primarily to a system that can be used in the high-pressure fuel injection systems for a diesel engine. These high-pressure fuel delivery systems must be sufficiently strong to avoid failure or leakage, either of which could be catastrophic. Neither the plastic of Verdesca et al. nor the thin metallic duct of Poole would be at all acceptable for use in a common rail. Additionally, neither a gasket nor caulking would be suitable for preventing leakage in a high pressure fuel delivery system.

It is believe that the rejection may be based partly upon the Examiner's misunderstanding of the word "caulk" as used herein. The Examiner is correct in that the word "caulk" can be used to describe a silicone-type material that can be used in place of a gasket. However, caulking is used in this art area to describe a metallic deformation for achieving a mechanical interconnection between two metallic members. The inward deformation at the opposed ends of the tubular body is clearly shown in FIG. 1 and FIG. 2 and is described clearly in the first full paragraph on page 5. New claim 9 is believed to define this as aspect of the invention much more clearly and distinguishes patentably over the plastic assembly of Verdesca et al. with O rings to prevent leakage and failure or the duct assembly of Poole with gasket or a silicone-type caulking material.

It is submitted that the amended and new claims are patentable over the applied art and allowance of these claims is solicited. The Examiner is urged to contact applicant's attorney at the number below to expedite the prosecution of this application.

Respectfully submitted,



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